

CONSENT AND WAIVER

I, Eitan Korb, on behalf of Crosby Capital USA (“Crosby Capital”), do hereby acknowledge that Daniel H. Richland, Esq. and Michal Falkowski, Esq. of Richland & Falkowski, PLLC (“the Firm”), advised me of their potential conflict of interest in their representation of Crosby Capital USA relating to plaintiff-side residential mortgage foreclosure actions and specifically, the action captioned *BCMBI Trust v. Rosario*, under Index No. EF004711-2020 in the Orange County Supreme Court.

The Firm has disclosed to me that they are the attorneys of record for Stuyvesant Construction Corp., Mamadu I. Barrie a/k/a Mamadu Barrie and Edward Johnson (the “Current Clients”), defendants in three separate civil actions which have been brought by certain entities which may be subsidiaries of or related to Client. The three civil actions are as follows:

- a) *Windward Bora LLC v. Stuyvesant Construction Corp., et al.*, under Case No. 19-cv-07275, currently pending in the United States District Court, Eastern District of New York;
- b) *Windward Bora LLC v. Barrie et al.*, under Case No. 19-cv-07272, currently pending in the United States District Court, Eastern District of New York;
- c) *Milky Way II, LLC v. Edward Johnson*, under Index No. 150288/2017, currently pending in the New York County Supreme Court.

The Firm has also disclosed to me that, other than the aforementioned actions, the Firm does not have any other business dealings with Mamadu I. Barrie or Edward Johnson. The Firm has also disclosed to me that they have extensive business and legal dealings with the principal of Stuyvesant Construction Corp. and her other entities and have represented in the past, presently represent, and will continue to represent the principal of Stuyvesant Construction Corp., and her entities, on other, unrelated matters.

With respect to all of the foregoing, I have been repeatedly advised by the Firm that I have a right to independent counsel, that I should speak with independent counsel, and I either have spoken with independent counsel or waived that right. Accordingly, I hereby consent to the Firm’s representation of both the Current Clients and Crosby Capital and waive any potential conflict of interest on behalf of Crosby Capital.

Eitan Korb, on behalf of
Crosby Capital USA

Dated: